

position. With satisfactory or higher performance, advancement between steps shall be automatic after 52 weeks of service.

(f) (1) In the first year of implementation, all special areas will have full-scale surveys.

(2) Current employees shall be placed in step 2 of the new special schedule, or, if their current rate of pay exceeds the rate for step 2, they shall be placed in step 3. Pay retention shall apply to any employee whose rate of basic pay would otherwise be reduced as a result of placement in these new special wage schedules.

(3) The waiting period for within-grade increases shall begin on the employee's first day under the new special schedule.

[FR Doc. 95-2013 Filed 1-26-95; 8:45 am]

BILLING CODE 6325-01-M

5 CFR Part 532

RIN 3206-AG53

Prevailing Rate Systems; Abolishment of New York, New York, Special Wage Schedules for Printing Positions

AGENCY: Office of Personnel Management.

ACTION: Interim rule with request for comments.

SUMMARY: The Office of Personnel Management is issuing interim regulations to abolish the Federal Wage System special wage schedule for printing positions in the New York, New York, wage area. Printing and lithographic employees in New York, New York, will now be paid rates from the regular New York, New York, wage schedule.

DATES: This interim rule becomes effective on January 27, 1995. Comments must be received by February 27, 1995. Employees paid rates from the New York, New York, special wage schedule for printing positions will continue to be paid from that schedule until their conversion to the regular New York, New York, wage schedule effective on the first day of the first full pay period beginning on or after January 27, 1995.

ADDRESSES: Send or deliver comments to Donald J. Winstead, Assistant Director for Compensation Policy, Personnel Systems and Oversight Group, U.S. Office of Personnel Management, Room 6H31, 1900 E Street NW., Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT: Paul Shields, (202) 606-2848.

SUPPLEMENTARY INFORMATION: The Department of Defense recommended to the Office of Personnel Management that the New York, New York, Printing and Lithographic wage schedule be abolished and that the regular New York, New York, wage schedule apply to printing employees in the New York, New York, wage area. This recommendation was based on the fact that the New York, New York, special printing wage survey would produce special schedule rates lower than the regular area wage schedule rates for all but one grade level, XS-7. Because regulations provide that the special printing schedule rates may not be lower than the regular schedule rates for an area, New York, New York, special printing schedule rates for all grades but XS-7 are currently based on the New York, New York, regular wage schedule rates. The number of employees paid from this special schedule has declined in recent years from a total of 80 employees in 1985 to a current total of 18 employees, only 1 of whom is in grade XS-7.

With the reduced number of employees, it has been difficult to comply with the requirement that workers paid from the special printing schedule participate in the special wage survey process. The last full-scale survey involved the substantial work effort of contacting 103 printing establishments spread over 19 counties.

No employee's wage rate will be reduced upon conversion to the regular schedule. Because of the effects of pay cap provisions and the fact that the special printing schedule rates are based upon payable (restricted) regular schedule rates, the 17 employees paid rates based on the regular wage schedule will receive higher wage rates upon conversion. The one employee in grade XS-7 who currently receives the higher, printing survey-based rate will be entitled to continue at that rate under pay retention rules.

The Federal Prevailing Rate Advisory Committee has reviewed this recommendation and by consensus has recommended approval.

Pursuant to 5 U.S.C. 553(b)(3)(B), I find that good cause exists for waiving the general notice of proposed rulemaking. Also, pursuant to section 553(d)(3) of title 5, United States Code, I find that good cause exists for making this rule effective in less than 30 days. The notice is being waived and the regulation is being made effective in less than 30 days because preparations for the January 1995 New York, New York, survey must begin immediately.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they will affect only Federal agencies and employees.

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

U.S. Office of Personnel Management.

Lorraine A. Green,
Deputy Director.

Accordingly, OPM is amending 5 CFR part 532 as follows:

PART 532—PREVAILING RATE SYSTEMS

1. The authority citation for part 532 continues to read as follows:

Authority: 5 U.S.C. 5343, 5346; § 532.707 also issued under 5 U.S.C. 552.

§ 532.279 [Amended]

2. In § 532.279, paragraph (j)(5) is removed, and paragraphs (j)(6) through (j)(10) are redesignated as paragraphs (j)(5) through (j)(9), respectively.

[FR Doc. 95-2014 Filed 1-26-95; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 101

[T. D. 95-111]

Customs Service Field Organization; Extension of Port Limits of Hilo and Kahului, Hawaii

AGENCY: U. S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations pertaining to the field organization of Customs by extending the geographical limits of the ports of entry of Hilo and Kahului, Hawaii. The boundaries of the port of Hilo are extended to include the entire island of Hawaii. The boundaries of the port of Kahului are extended to include the entire island of Maui. The changes are being made to include all potential Customs work sites within the ports. These changes will enable Customs to obtain more efficient use of its personnel, facilities, and resources and to provide better service to carriers, importers, and the general public.

EFFECTIVE DATE: February 27, 1995.

FOR FURTHER INFORMATION CONTACT: Brad Lund, Office of Inspection and Control, 202-927-0192.

SUPPLEMENTARY INFORMATION:

Background

As part of its continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public, Customs is amending § 101.3, Customs Regulations (19 CFR 101.3), to expand the geographical limits of the ports of entry of Hilo and Kahului, Hawaii.

The expanded boundaries of the port of Hilo will include the entire island of Hawaii. The expanded boundaries of the port of Kahului will include the entire island of Maui. Expansion of the port limits for these two islands will improve service to the public and will make better use of staffing resources.

Comments

Customs published a Notice of Proposed Rulemaking in the **Federal Register** (59 FR 43313) on August 23, 1994, which invited the public to comment on proposed changes to the limits of the ports as described above.

Seventeen comments were received, all of which approved of the proposed expansions. Accordingly, the amendments are being published in final as they were proposed.

Revised Port Limits

The revised port limits for the port of Hilo are as follows:

In the State of Hawaii: The entire island of Hawaii.

The revised port limits for the port of Kahului are as follows:

In the State of Hawaii: The entire island of Maui.

Regulatory Flexibility Act and Executive Order 12866

Although Customs solicited public comments on these port extensions, no notice of proposed rulemaking was required because the port extensions relate to agency management and organization. Accordingly, this document is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Agency organization matters such as these port extensions are exempt from consideration under Executive Order 12866.

Drafting Information

The principal author of this document was Janet L. Johnson, Regulations Branch. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 101

Customs duties and inspection, Exports, Imports, Organization and functions (Government agencies).

Amendments to the Regulations

Accordingly, Part 101 of the Customs Regulations is amended as set forth below:

PART 101—GENERAL PROVISIONS

1. The general authority citation for Part 101 continues to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 17, Harmonized Tariff Schedule of the United States), 1623, 1624.

2. The list of Customs regions, districts and ports of entry in § 101.3(b) is amended by adding the reference “T. D. 95-11”, alongside both “Hilo” and “Kahului” in the column headed “Ports of entry” in the Honolulu, Hawaii District of the Pacific Region.

George J. Weise,

Commissioner of Customs.

Approved: December 29, 1994.

John P. Simpson,

Deputy Assistant Secretary of the Treasury.

[FR Doc. 95-2075 Filed 1-26-95; 8:45 am]

BILLING CODE 4820-02-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 310

Drug Products Containing Certain Active Ingredients Offered Over-the-Counter (OTC) for Certain Uses

CFR Correction

In title 21 of the Code of Federal Regulations, parts 300 to 499, revised as of April 1, 1994, on page 63, in § 310.545, paragraph (a)(7), the entry for “Menthol” is corrected by removing the parenthetical phrase.

BILLING CODE 1505-01-D

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MT23-1-6402a; FRL-5128-1]

Approval and Promulgation of Air Quality Implementation Plans; Montana; State Implementation Plan for East Helena SO₂ Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA fully approves the State implementation plan (SIP) submitted by the State of Montana to achieve attainment of the primary National Ambient Air Quality Standards (NAAQS) for sulfur dioxide (SO₂). The SIP was submitted by Montana to satisfy certain federal requirements for an approvable nonattainment area SO₂ SIP for East Helena. The effect of EPA's final action is to make the East Helena Primary SO₂ NAAQS SIP federally enforceable.

DATES: This final rule is effective March 28, 1995, unless adverse comments are received by February 27, 1995. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Comments should be addressed to Meredith A. Bond, 8ART-AP, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2405. Copies of the State's submittal and other information are available for inspection during normal business hours at the following locations: Air Programs Branch, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2405; and Montana Department of Health and Environmental Sciences, Air Quality Bureau, Cogswell Building, Helena, Montana 59620-0901; and U.S. EPA Air & Radiation Docket Information Center, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Meredith Bond at (303) 293-1764.

SUPPLEMENTARY INFORMATION:

I. Background

East Helena, Montana, is a small community located about 5 miles east of the State capitol, Helena. The major industrial source affecting the SO₂ concentrations in the ambient air is the Asarco, Incorporated, primary lead smelter. The following summarizes the regulatory history of the East Helena SO₂ nonattainment area.

On September 19, 1975, EPA approved the revision to the Montana SIP which sets forth a sulfur oxide control strategy to provide for attainment and maintenance of the SO₂ NAAQS near Asarco in East Helena (40 FR 43216).

The Clean Air Act Amendments of 1977 provided for non-attainment designations for areas violating the NAAQS. On March 3, 1978, EPA designated the East Helena area as nonattainment for SO₂ based on historical ambient monitoring data